

HISTORIC AREA COMMISSION
New Castle Town Hall
2nd and Delaware Streets
May 20, 2010

Present: Sally Monigle, Chairperson
Doug Heckrotte
David Bird
Bill Hentkowski
Robin Hegvik

City Personnel: Jeff Bergstrom, Inspection Department
Roger Akin, City Solicitor

Mrs. Monigle called the meeting to order at 5:10 p.m. Roll call followed.

OLD APPLICATIONS

F. Dressler, 137 E. 2nd Street

Consideration of exterior modifications for HAC C.O. approval.

Sean Tucker, Esq. is representing Mr. Dressler and presented on his behalf. He provided a brief history of this application with HAC to date. At a previous meeting Mr. Tucker discussed some proposals for the Dressler residence in hopes of concluding the HAC application and obtaining a final C.O. He has spoken to Mr. Dressler about the issues that HAC expressed at that meeting. Mr. Dressler wanted to get a cost estimate for certain items to get an idea of what is involved with HAC's position at that meeting. Mr. Tucker distributed a 12/15/09 proposal prepared by Belleview Construction Co. listing some of the costs associated with the modifications discussed at that HAC meeting (over 1-1/2 yrs. ago). Most of the items listed are from that meeting but some items were added at the request of Mr. Bergstrom. One of the issues dealt with concern about a porch and the top posts on the top level of the porch were not symmetrically aligned with the second and first levels, which was on the approved plan. Mr. Dressler acknowledged this is a construction error and was not correct and he will bring this issue into compliance.

Windows was a big issue. Referring to the proposal Mr. Tucker said option #3 was the desired option of HAC at the last meeting. The cost involved with this option is prohibitive for the applicant. Mr. Tucker suggested using option #2 as a compromise. The windows do match the schedule that was part of the approved plans. The windows do not match perfectly because Mr. Dressler ordered all of his windows from the schedule.

He asked the Commission to consider allowing Mr. Dressler to pay to address the third level balcony in accordance with the approved plans and follow option #2 and trim out the windows and put in the 1" sill throughout without regard to color. It is their desire to see a permanent occupant in the house and conclude this matter and obtain a final C.O.

Mr. Bird questioned sill replacement in option #2. Mr. Tucker said he spoke to Mr. Dressler about this and he will replace the bottom strip with a more full strip that does not end at the corners. Mrs. Monigle asked for clarification of the cost of work in option #1 versus the cost of work in option #2. Mr. Tucker explained the cost in option #2 is mainly because of the sill being switched out. The difference between option #2 and option #3 is to redo the whole thing and rip out much of the siding. Option #3 would fix all the windows and redo the width 4" on the side, 4" across the top and a 1" sill. Mr. Tucker referenced testimony made by the engineer at the previous meeting concerning the sill.

Lula Atherton (lives across the street from Mr. Dressler's property) said she and her husband don't notice the size of trim. They have noticed an uncompleted house for 3 years and 2 months. They notice peeling paint, weeds and a vacant property they feel is in distress and it is becoming a hardship for them. She asked the Commission to come to some type of resolution this evening. They want to see a family in the home. She doesn't have any problems with the trim that is currently on the house.

Mr. Bird asked if the property was to be leased or rented on a temporary basis. Mr. Tucker confirmed that there was a C.O. issued but it has expired now. It is his understanding that someone was living there temporarily.

Mrs. Monigle noted that HAC takes responsibility for not issuing a C.O. to allow this process to move forward. However, she does not believe that has much to do with the condition of the property's exterior. That is the owner's responsibility.

No further comments from Commission members at this time.

Gene Dempsey stated he drives by this house daily and sees the beauty on one side of the street and the unfinished home on the other side of the street. He has looked at the windows and feels they look fine. He believes the house needs to be finished. If trim is necessary that is fine. We would like to see the community get back to what it should be.

Mr. Bird said there is lattice work put up on the foundation around the front porch. Mr. Tucker said that has been addressed. Mrs. Monigle confirmed it has been addressed but she is not sure the front step and railing have been addressed appropriately.

Per Mr. Tucker, downspouts adjacent to the neighbor's house (to the north) will be addressed. Mr. Bergstrom had indicated to the applicant that the neighbor was experiencing water issues. Mr. Dressler said he was willing to install something but a disagreement ensued and the result was that nothing was done. Mr. Bergstrom is comfortable with the path forward to funnel water out to the proper drainage system.

Ms. Hegvik is sympathetic to the neighbors' feelings. This has affected all the residents of New Castle. The house was built before she joined HAC. Her strong concern is that the house does not look like the type of house you see in New Castle. She feels we need to move ahead and come to agreement tonight. It has been a real problem for the community. It does not fit in the community and she is concerned about setting precedent.

John Godsill, West 3rd Street, stated he has been in the Dressler house throughout the entire construction period. He asked Ms. Hegvik to explain her statement that the house does not 'fit' in the historic district.

Ms. Hegvik explained that the look of the windows is nice but she sees them on beach properties and there is nothing like that in the historic district. There are no windows with 6" trim around them that look like the Dressler house.

Discussion about the 6" trim and paint color followed.

Mr. Bird said it would have been best for everyone concerned if the original construction were to the plans approved by HAC. The fixes that are proposed tonight comes down to the windows; everything else is as we had requested. The trim is a visual fix. It is not the best solution of removing the windows and reinstalling other windows that are proper. But, the proposal for the trim on the windows is reasonable and would be acceptable to him.

Mr. Hentkowski agrees with Ms. Hegvik. The trim is too wide. He would be willing to trade moving the post on the back porch (\$500) and put that towards option #3. Mr. Bird disagreed stating moving the post is also a visual issue. Ms. Hegvik supports Mr. Hentkowski's suggestion.

Lula Atherton wanted to clarify she wasn't implying that the condition of the house is HAC's responsibility. If you have a house where work is stopped things begin to decay. She spoke to size and scale of the Dressler house to surrounding properties and does not feel it is an issue on that street. She also commented on the trim color. Mr. Heckrotte said that HAC does not typically worry about color. He added that we are being asked to approve bad work and incorrect trim. The window frames are too wide.

Mr. Tucker said he has looked at the windows and there are 6" windows around the site directly across the street. The idea of the trim came from a house across the street. He has no issue with a different type of trim but in terms of trim being around a 6" side and top, it exists across the street. *(Additional discussion followed.)*

He further commented that he has appeared before HAC twice and has not heard one person from the community object to Mr. Dressler's proposal of a compromise. He respects HAC's authority to make the final decision but believes weight should be

given to the community's feelings. He also asked them to look again at the approved plans; you will not see 6" on the approved plan if you try to scale them. He asked Commission members to be reasonable when making their decision.

Mr. Heckrotte noted that HAC often renders approval of projects with the proviso that the litany be followed. He added that the litany is very clear about trim widths. Mr. Tucker asked for a copy of the litany noting he did not receive a copy at the last meeting. *(Mr. Tucker was provided a copy of the litany. He had not seen the document before tonight.)* Mr. Hentkowski said during construction when the windows were going in and the windows were framed out he and other Commission members questioned Mr. Bergstrom. This was before the windows were installed.

Ms. Hegvik supported Mr. Hentkowski's statement and noted this has been contentious from the beginning. HAC told Mr. Dressler that it wasn't correct and to stop and he disregarded us. HAC has a responsibility to keep things historic as best we can. The community may like something but we are the body that keeps things from moving away from the historic scriptures.

Mr. Tucker pointed out that there is no mention of 4" in the testimony from the last meeting. If it is in the litany that is fine, but he believes there is some discretion here. He understands there has been conflict involved with this project and it is unfortunate.

Commission members and Mr. Tucker reviewed the proposal once again. Concerning the third floor balcony it needs to be changed. Items listed under front steps and downspouts will be done.

Action: Mr. Bird made a motion to approve option #2 as a reasonable compromise to the process without a preference to color of the trim and with the proviso that suitable trim of all one color agreeable to HAC be used as well as the noted change to the third level balcony be made. Ms. Hegvik seconded the motion.

Mr. Heckrotte asked Mr. Tucker if 'pack out window trim where necessary' in option #2 means the applicant is packing the legs out to match the thickness of the head? Mr. Tucker confirmed that is correct and it did not appear to be done in the sample but it is included in the price and he is assuming it would be preferable. Mr. Bird said it is also with the understanding the bottom of the siding be extended to line up. Mr. Tucker agreed to this. Mr. Bergstrom said that he is satisfied that enough clarification has been provided.

**A roll call vote took place.
Mr. Heckrotte voted against.
Mr. Hentkowski voted against.
Mr. Bird voted in favor.
Ms. Hegvik voted in favor.
Mrs. Monigle voted in favor.**

The motion was approved by a vote of 3-2.

N. Bustamante, 315 Harmony Street

Final detail approval.

Discussion: Mrs. Monigle said the contractor at this site was putting in the wrong foundation (stone). Mr. Bergstrom will look into this. Concrete pavers are also being used which were not approved by HAC. Mrs. Monigle informed the contractor not to do any more paver work until this is resolved. We have no plan showing the retaining wall. We approved a fence for the site. The contractor said his plan is to install a wood picket fence on top of the retaining wall that is being put in.

G. DiSabatino, 81 W. 5th Street

Consideration of exterior details for HAC C.O. approval.

Discussion: Mr. Bergstrom is asking for approval for a C.O. Mrs. Monigle asked him if the shutters will fit and that they will be appropriate. Mr. Heckrotte added they are the wrong size (too narrow). Mr. Bergstrom will make sure the shutters are appropriately sized before issuing a C.O.

Action: Mr. Heckrotte made a motion to vote on the application as submitted saying we vote in favor of the C.O. with the proviso that Mr. Bergstrom will ensure that the shutters are the right size. Mr. Bird seconded the motion.

Disposition: Approved by unanimous vote.

D. Walz, 31 E. 4th Street

Returning with additional information requested.

Discussion: This is for a front porch addition. Discussion about the dimensions of the front porch took place. (Mrs. Monigle has all materials/applications that have been submitted to date.) Mr. Heckrotte asked what the width of the sidewalk is here. Mr. Bergstrom said the applicant has an easement to encroach that will permit this porch from the Mayor and Council. It is farther than 5'6". The applicant pulled it back in because of a gas valve that is there. Mr. Bergstrom said the City will not allow the porch to be built over the gas valve. The applicant will not move the gas valve because of costs involved. According to Mr. Bergstrom the resolution on file indicates the applicant can come out a certain distance if he moves the gas valve. Mr. Heckrotte asked if 27 East 4th Street 'looks right'. The Commission wants to see what the porch at 27 East 4th Street looks like before moving forward. Mr. Bergstrom obtained digital photos for Commission members to view. Discussion about the roof and the porch railing followed. Mr. Heckrotte informed that HAC would approve his porch plans based on 27 East 4th Street and that the applicant is to show HAC a catalog cut of the railing and column he wants to buy and get that to Mr. Bergstrom who will distribute to Commission members. *(Additional discussion followed.)*

Action: Mr. Heckrotte made a motion to vote on the application as submitted which is to replicate the porch on 27 East 4th Street and if the applicant wishes to use turned columns or turned ballasts he should either photograph a porch in town on a similar house or show HAC the catalog cuts of what he wishes to purchase. The roof material has to be something nice if seen from the street. Mr. Bird seconded the motion.

Disposition: Approved by unanimous vote.

J. Whisman, 411 Delaware Street

Metal roof approval

Action: Mr. Heckrotte made a motion to vote on the application as submitted.

Mr. Hentkowski seconded the motion.

Disposition: Approved by unanimous vote.

Certification by the New Castle Historic Area Commission of the front yard setback approval of the Miller East 2nd Street subdivision, 250-262 East Second Street

Mr. Akin informed the Commission that he has discussed this matter with Mr. Bergstrom and recently received written materials from him. His understanding is that the Commission is to adopt a resolution that reconfirms what it has done previously so there is a contemporaneous record of the HAC approval several years ago. This is necessary because some historical records are missing from City files. He will draft a resolution to circulate to the Commission.

Mr. Heckrotte suggested making the other five properties agree with the resolution that we approved last month, referring to the document that Mrs. Monigle signed last month on behalf of HAC. Mr. Akin said he could incorporate that into the resolution and get it to the Commission as quickly as possible. HAC dealt with 260 East Second Street last month.

Action: Mr. Heckrotte made a motion to bring the resolution for the determination of the front yard setbacks and encroachments for the other five (5) properties (252, 254, 256, 258 and 262) to agree with what we agreed with for 260 East Second Street to accept the encroachments as they stand and the setbacks as they stand. Mr. Bird seconded the motion.

A roll call vote was taken.

Mr. Hentkowski voted in favor.

Mr. Bird voted in favor.

Mrs. Monigle voted in favor.

Mr. Heckrotte voted in favor.

Ms. Hegvik voted in favor.

The motion was passed by unanimous vote. Mr. Akin noted that this will give a clear 'going forward' for settlement attorneys with any future transactions.

NEW APPLICATIONS

V. Clark, 155 E. 2nd Street

Remove and replace casement bow window 3 windows in opening.

Action: Mr. Heckrotte made a motion to deny the fiberglass bow window being requested and vote to approve an equivalent wood window and the applicant should supply us with a catalog cut of the wood window. Mr. Hentkowski seconded the motion.

Disposition: Approved by unanimous vote.

NEW APPLICATIONS (Contd.)

D. Keenan, 215 Harmony Street

Cut out mortar and re-point same as original.

Action: Mr. Heckrotte made a motion to vote on the application as submitted with the proviso that HAC will be allowed to inspect a sample before very much is cut out and the joint be no wider than it currently is. Mr. Hentkowski seconded the motion.

Disposition: Approved by unanimous vote.

R. Dill, 112 W. 3rd Street

Replace cedar shingle roof with "Enviroshake" cedar shingles.

Discussion: The applicant distributed materials describing Enviroshake cedar shingles. Mrs. Monigle said this is something new and different for the HAC that is not typically approved. His presentation included two (2) samples of the shingles. The product comes with a 50 year warranty that is transferable to anyone who owns the house and they are made from green materials meaning they are recyclable and all materials used in it are recycled. The cost factor is high because of the warranty. Photos of various houses using this product, local and distant, were shown to Commission members. As the shingles age they look like a hand-split red cedar shingle. It has been on the market for approximately 12 years. Ms. Hegvik said the shiny look of the shingles concerns her, even after weathering for a year. Mr. Heckrotte noted that one of the photos show the roof is not random. The applicant said that instructions are provided with materials explaining how to install the roof to make it look random. Mrs. Monigle suggested that Commission members visit a home in West Chester (PA) to see the product in person. The applicant has looked at other brands but they are not acceptable, they are thin and do not look like a shingle. Mr. Heckrotte is not instantly opposed and said it has to do with the art of laying the roof. The application is being continued until further research is completed.

S. Monigle, 31 The Strand

Replace 5 windows and storm door on 1st floor rear.

Discussion: Photos were shown. The prime door is included. The roof over the bay window will be tin or metal to match what is above it.

Action: Mr. Bird made a motion to vote on the application as submitted with the proviso that the litany be followed which in this case means wood windows, wood storm door, the Morgan preview and wood door, the Marvin windows as shown in the catalog for all five windows, and a tin roof over the bay window. Mr. Bird seconded the motion.

Disposition: Approved by a vote of 4 in favor and one member abstaining (S. Monigle).

NEW APPLICATIONS (Contd.)

J. Jeppeson, 156 E. 3rd Street

Replace front roof shingles with weathered wood blend color shingles. The back porch roof is now leaking and is being added to this application.

Action: Mr. Heckrotte made a motion to vote on the application as submitted with the proviso that the litany be followed which in this case is weather proof shingles to be used and if gutters are needed they will be half-round and round. Mr. Bird seconded the motion.

Disposition: Approved by unanimous vote.

G. Levinson, 318 South Street

Remove and replace top roof and 2nd level rear roof.

Action: Mr. Heckrotte made a motion to vote on the application as submitted. Mr. Hentkowski seconded the motion.

Disposition: Approved by unanimous vote.

R. Cooch, 18 E. 3rd Street

Replace water damaged wood siding on screen porch in kind.

Action: Mr. Heckrotte made a motion to vote on the application as submitted. Mr. Hentkowski seconded the motion.

Disposition: Approved by unanimous vote.

Oak Knoll Books, 308 Delaware Street

Sign approval for new store.

Discussion: Mrs. Monigle asked if this sign replaces the former sign. (*Discussion followed.*) Mr. Bergstrom said there are three distinct spaces at this location. Mr. Heckrotte stated HAC needs to know where the sign is going to go. If they wish to put all three businesses on one sign that is fine. Mr. Bergstrom went to the site and reported that there were two (2) outstanding signs at Oak Knoll Books. The bracket that held them up, the chains are dangling now. Ms. Hegvik said they were not dangling when HAC did their drive-by review before tonight's meeting. One sign is there and there another sign that is empty. The sign is to hang further up the street on the existing bracket.

Action: Mr. Heckrotte made a motion to vote on the application as submitted. The motion was seconded.

Disposition: Approved by unanimous vote.

DE Historical Society, 42-46 The Strand

Replace wood fence on north side and south side in kind.

Action: Mr. Heckrotte made a motion to vote on the application as submitted. Mr. Hentkowski seconded the motion.

Disposition: Approved by unanimous vote.

J. Moore, 179 E. 4th Street (not on agenda)

Install wood railing in place of an iron railing.

Discussion: The applicant wants to match the existing porch railing.

Action: Mr. Heckrotte made a motion to vote on the application as submitted.

Mr. Hentkowski seconded the motion.

Disposition: Approved by unanimous vote.

EMERGENCY REPAIRS

A. Bridgewater, 318 Delaware Street

Remove and replace roof – emergency – leaking.

Action: Mr. Heckrotte made a motion to vote on the application as submitted with the proviso that the litany be followed which means weathered wood blend shingles. Mr. Hentkowski seconded the motion.

Disposition: Approved by unanimous vote.

S. Michael, 34 W. 4th Street

Repair/replace framing on rear porch.

Action: Mr. Heckrotte made a motion to vote on the application as submitted.

Mr. Hentkowski seconded the motion.

Disposition: Approved by unanimous vote.

S. Cotter, 211 Harmony Street

Air conditioner condenser placement approval.

Discussion: This work has already been done.

Action: Mr. Heckrotte made a motion to vote on the application as submitted.

Mr. Bird seconded the motion.

Disposition: Approved by unanimous vote.

G. Wirt, 53 The Strand

Installing 3rd floor metal roof in kind – emergency – leaking.

Discussion: The applicant shares a common roof with 55 The Strand. The houses are identical and they work together when doing repairs. Mr. Wirt said the snow guards will be painted the same color as the roof, they don't come in colors. It goes over the seam and latches on to avoid penetration. The main roof is the roof that will be replaced. The gutter is somewhat embedded in the roof and isn't visible. A new gutter will be placed along the front. New downspouts will also be installed. *(Lengthy question and answer session about work to be performed and materials to be used followed.)*

Action: Mr. Heckrotte made a motion to vote on the application as submitted with the proviso that the litany be followed, which in this case means the downspouts and gutters be smooth and round. Mr. Bird seconded the motion.

Disposition: Approved by unanimous vote.

C. Seitz, 55 The Strand

Installing 3rd floor metal roof in kind – emergency -- leaking

Discussion: See above.

Action: Mr. Heckrotte made a motion to vote on the application as submitted with the proviso that the litany be followed, which in this case means the downspouts and gutters be smooth and round. Mr. Bird seconded the motion.

Disposition: Approved by unanimous vote.

B. Flannigan, 417 Delaware Street

Replace 1st floor flat roof – leaking.

Action: Mr. Heckrotte made a motion to vote on the application as submitted. Mr. Bird seconded the motion.

Disposition: Approved by unanimous vote.

D. Almquist, 103 The Strand

Re-stucco and repair wood behind stucco. Wall cracked and water leaking through wall. Mr. Heckrotte noted this is a fairly new home.

Action: Mr. Heckrotte made a motion to vote on the application as submitted. Mr. Bird seconded the motion.

Disposition: Approved by unanimous vote.

L. Ratchford, 24 The Strand

Repair/replace window sill damaged by truck pulling wires down (wire attached to window sill).

Discussion: A photo was shown.

Action: Mr. Heckrotte made a motion to vote on the application as submitted. Mr. Bird seconded the motion.

Disposition: Approved by unanimous vote.

A. Logan, 123 Harmony Street

Air conditioner condenser placement approval.

Action: Mr. Heckrotte made a motion to vote on the application as submitted. Mr. Bird seconded the motion.

Disposition: Approved by unanimous vote.

New Business

At the 4/15/10 HAC Meeting Mr. D. Bungy, 108 E. 4th Street, was given approval to install a 5' high wooden fence with a flat top to be the same as the fence on the vacant lot there. The fence installed does not have a flat top and should be addressed.

Approval of Minutes – Mr. Bird made a motion to accept the minutes of 4/15/10 with added emphasis on Mr. Bungy, 108 E. 4th Street, that he indicated he was requesting a flat fence which is not what was installed. Mr. Heckrotte seconded the motion. The minutes were approved by unanimous vote.

Adjournment

It was moved and seconded to adjourn the meeting. The meeting was adjourned at 7:35 p.m.

Respectfully submitted,

Debbie Turner

Debbie Turner, Stenographer